

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

**FILED**  
UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

JUN 11 2019

MITCHELL R. ELFERS  
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 19-MJ-1159 SCY

CHRISTOPHER DOUGLAS,

Defendant.

**ORDER FOR MENTAL COMPETENCY  
EXAMINATION PURSUANT TO 18 U.S.C. § 4241**

**THIS MATTER** is before the Court on Defendant's Motion for Psychological Evaluation of Defendant (Doc. 15), filed June 6, 2019. The United States takes no position on this motion. Having reviewed the motion, the Court finds reasonable cause to believe that Defendant is suffering from a mental disease or defect that has rendered him mentally incompetent such that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. Therefore, pursuant to 18 U.S.C. § 4241(a), the Court orders Defendant to be examined for mental competency.

**IT IS THEREFORE ORDERED**, pursuant to 18 U.S.C. § 4241(b), that Defendant undergo an examination by a licensed or certified psychologist or psychiatrist to determine if he is competent to stand trial. The Clerk of Court for the District of New Mexico shall arrange for an examination of defendant by a local qualified psychologist or psychiatrist at the earliest practical time. The Clerk shall provide the psychologist or psychiatrist who performs the evaluation with a copy of the criminal complaint, a copy of this order, and any other relevant documents. The psychologist or psychiatrist who performs the evaluation shall promptly file a report that contains all the information required under 18 U.S.C. § 4247(c)(1), (2), (3), and (4)(A), including:

(1) Defendant's mental health history and his present symptoms

(2) A description of any psychological, psychiatric or other medical tests which were employed by the evaluating psychologist or psychiatrist and the results of any such tests;


(3) The evaluating psychologist's or psychiatrist's findings and opinions as to defendant's present mental or medical diagnosis and prognosis;

(4) The evaluating psychologist's or psychiatrist's assessment of whether defendant suffers from a mental disease or defect which prevents or impairs his ability to understand the nature of the charges and the consequences of the proceedings or to consult with his lawyer with a reasonable degree of rational understanding; and

(5) If the defendant does not presently have a rational or factual understanding of the charges or presently does not have sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding, the evaluating psychologist's or psychiatrist's assessment of whether there is a substantial probability that the defendant will attain either of these capacities in the foreseeable future.

**IT IS FURTHER ORDERED**, pursuant to 18 U.S.C. § 3161(h)(1)(A), that any period of delay resulting from the defendant's Amended Motion to Determine Competency (Doc. 15), filed on June 6, 2019, through and including the termination of any proceeding, including any examination or hearing to determine defendant's mental competency, shall be excluded for purposes of calculating the defendant's Speedy Trial Act rights.

DATED this 11th day of June, 2019

  
Steven C. Yarbrough  
United States Magistrate Judge